

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

**COURTROOM PROCEEDINGS**

The court met in its courtroom at 10:00 A.M. Present: Honorable Nickolas J. Dibiaso, Acting Presiding Justice; Honorable Steven M. Vartabedian, Associate Justice; Honorable James F. Thaxter, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Nick A. Grigsby, Deputy Clerk.

**F030476 Britz, Inc. v. The Dow Chemical Company, et al.**

Cause called and argued by Ted R. Frame, Esq., counsel for appellant and by Nicholas D. Kayhan, Esq., counsel for respondent Dow Chemical Company, et al., by Stephen C. Lewis, Esq., counsel for respondent Occidental Chemical Corporation and by Stephen Jones, Esq., counsel for respondent Shell Oil Company, et al.

Cause ordered submitted.

Court recessed until Monday, June 14, 1999 at 1:45 P.M.

The court reconvened in its courtroom at 1:45 P.M. Present: Honorable Nickolas J. Dibiaso, Acting Presiding Justice; Honorable Stephen M. Vartabedian, Associate Justice; Honorable Timothy R. Buckley, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Nick A. Grigsby, Deputy Clerk.

**F029335 Niki Whitcomb, et al. v. George and Mabel Cadlini**

Cause called and argued by Herman C. Meyer, Esq., counsel for appellant and by Katherine R. Boyd, Esq., counsel for respondent.

Cause ordered submitted.

Court recessed until Tuesday, June 15, 1999 at 10:00 A.M.

**F030780 People v. Metheny**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

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**F030972      People v. Wayne**

The judgment (order granting probation) is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F032962      Janie C. v. The Superior Court of Tulare County; Tulare Co. Dept. of Health  
and Human Services**

The petition is denied.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F29510)      People v. Cyr et al.  
F30802)      In re Cyr on Habeas Corpus**

The judgment is affirmed with modifications. The writ of Habeas Corpus is denied. Vartabedian, J.

We concur: Dibiaso, Acting P.J.; Thaxter, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F028094      People v. Quintero**

The judgment is affirmed. Buckley, J.

We concur: Dibiaso, Acting P.J.; Vartabedian, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F033221      Ron W. v. The Superior Court of Fresno County; Fresno County  
Department of Children and Family Services**

IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

**F030597      People v. Anderson**

Appellant's petition for rehearing filed herein is denied.

**F032848      Nicolini v. Martinez**

Appellant having failed to perform the acts necessary to procure the record after the clerk of the trial court issued notice pursuant to the provisions of rule 10(c), California Rules of Court, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

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**F030258**      **People v. Magana**  
Appellant's petition for rehearing filed herein is denied.